CONFERENCE ON DISARMAMENT

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ENGLISH

FINAL RECORD OF THE SEVEN HUNDRED AND SIXTY-SECOND PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 27 March 1997, at 10 a.m.

President: Mr. Berdennikov (Russian Federation)

GE.97-60794 (E)

THE PRESIDENT: I declare open the 762nd plenary meeting of the Conference on Disarmament and the last during the first part of the 1997 session.

I have on my list of speakers for today the representatives of Germany, Finland and Chile. Once we have exhausted the list of speakers for today, I intend to put for the decision of the Conference the requests of Ecuador and the United Arab Emirates to participate in our work as observers during the current session. With your concurrence, I shall put these requests for decision without first going into an informal meeting.

I now give the floor to the representative of Germany, Mr. Achenbach.

Mr. ACHENBACH (Germany): Let me first congratulate you, Sir, on the assumption of the presidency of this Conference. I would like to assure you that the German delegation fully shares the view of the importance of the work that has been done in the past and that can and should be done in the future by this Conference, as expressed in the encouraging message by your Foreign Minister to the Conference. The German delegation will do its utmost to support you in the execution of your demanding office at this difficult time. At the same time, I would like to express thanks and recognition to your predecessor, Mr. Pavel Grecu, for his untiring efforts to move towards consensus on the work programme of this Conference. I am convinced that the results of these efforts, although not immediately apparent, will be more clearly seen in the future and will provide a solid foundation for you to build on further.

In the view of the German Government, it is high time that the Conference, after these lengthy and in-depth consultations, should arrive at consensus on the work programme. Germany has already stated its priorities for this work programme: the immediate start of negotiations on a fissile material cut-off and on an effective, legally binding international agreement to ban anti-personnel mines. The vast majority of delegations are indeed willing to treat these items. I appeal to all delegations to free the way for concrete negotiations on these topics immediately upon the resumption of the Conference session in May. Germany is open-minded as to the wishes expressed by other delegations. In a spirit of compromise and cooperation on all sides, it should be possible to reach consensus soon.

At the beginning of this Conference session, Germany has already stressed the high priority it attaches to the early conclusion of an effective and legally binding international agreement to ban anti-personnel mines. It is an important objective of German foreign policy to eradicate once and for all, and as early as possible, this cruel and inhumane weapon. Germany has decided to work towards this objective by all effective means and in any appropriate forums.

It is in this spirit that I want to inform this Conference that on 24 and 25 April 1997 an international meeting of experts will be held in Bonn on the possible verification of a comprehensive international treaty banning anti-personnel mines. The meeting follows up on the international efforts to

(Mr. Achenbach, Germany)

achieve a comprehensive solution to the worldwide landmine problem that is satisfactory to all concerned. It is intended to help bring about as soon as possible a comprehensive international treaty banning anti-personnel mines. The Federal Republic of Germany is convinced that immediate and determined action is crucial to ensure the earliest possible success of ongoing worldwide activities to achieve a comprehensive ban on anti-personnel mines.

The Federal Republic of Germany welcomes the progress made at the international meeting of experts held in Vienna from 12 to 14 February 1997 in drafting the text of a future treaty banning anti-personnel mines. At the same time, the discussions revealed that the issue of verification - an essential aspect of any effective ban on anti-personnel mines - needs further detailed attention.

The Federal Government therefore proposes that this should be the focus of a two-day meeting of experts to be held in Bonn. The meeting will deal solely with specific technical and practical problems in this area and consider possible elements which could serve as the basis of a verification regime. The Government of the Federal Republic of Germany will forward the results of these discussions to the participating States as well as to the international forums concerned with the mines problem.

A discussion of other aspects of the proposed treaty or of procedural matters - for instance, the question of the negotiating forum - is not envisaged. Nor will the meeting take any decisions on substantive issues.

The meeting of experts is open to all countries interested in an exchange of views on this question. Invitations have been extended bilaterally through diplomatic channels. First reactions have been very encouraging. We therefore look forward to a productive meeting with widespread participation that will bring us one step forward to the common goal shared by so many countries.

THE PRESIDENT: I thank the representative of Germany for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Finland, Ambassador Reimaa.

Mr. REIMAA (Finland): Mr. President, we would like to join the previous speaker in congratulating you in your new tasks and assure you of the full cooperation of the Finnish delegation.

I have the honour to take the floor to present to you, and to this Conference, the official proposal by Finland, Chile and Poland to appoint a special coordinator on anti-personnel landmines under agenda item 6.

The fact that this proposal is made by three countries representing three different geographical groups in the CD underlines the importance that many countries from all groups attach to the question of anti-personnel landmines here in the CD. During this part of the session we have used a lot of time to discuss this question. We know there still are different views and concerns regarding this issue. It is our view that the appointment of a

(Mr. Reimaa, Finland)

special coordinator would be the best way to start serious work to tackle and solve these questions, and so to find the most appropriate way to deal with anti-personnel landmines in the CD.

The purpose of our proposal is only to try to speed up the process of consultations and negotiations, and as the proposal says, we would expect that the special coordinator should present a report on the consultations already before the end of May 1997.

Finally, we would hope that you, as our President, could take this proposal as a neutral contribution to your activities during the recess.

The PRESIDENT (translated from Russian): I thank the distinguished representative of Finland for his statement and for his kind words. As I pointed out, the list of speakers still contains the name of the Ambassador of Chile, but unfortunately so far he is not here, so I would be prepared now to ask whether anyone else wishes to take the floor now, and then we hope that we will succeed in hearing the statement by the distinguished representative of Chile. I call on the distinguished representative of Canada, Ambassador Moher.

Mr. MOHER (Canada): We were going to speak at the end of the formal statements this morning, but given your invitation, Sir, I would like just to mention to delegations, all of whom are aware, that Canada continues to give priority to the Ottawa Process for dealing with a global ban on the use of anti-personnel landmines. The Canadian Minister for Foreign Affairs and International Trade, Mr. Lloyd Axworthy, is convening today, in Ottawa, the diplomatic corps for the purpose of speaking to them on that matter, and I have been requested to circulate to all delegations here the speaking notes that he will be using on that occasion, as well as a one-page Ottawa Process "road map". As I mentioned, this is for the information of this group. It is part of our efforts to try to maintain transparency in this regard, and with your permission we will ask the secretariat to circulate that.

The PRESIDENT (translated from Russian): I thank the distinguished representative of Canada for his statement, and now I am especially pleased to call on Ambassador Berguño, the representative of Chile.

Mr. BERGUÑO (Chile) (translated from Spanish): Mr. President, as I congratulate you and offer you the cooperation of my delegation, I have to apologize for being late in beginning this cooperation. My intention at this point is to speak very briefly on two aspects that are at the centre of our concerns, not only today but since the beginning of this session of the Conference on Disarmament, in which a climate of uncertainty prevails and it does not appear that there can be an easy outcome despite the steadfast efforts made by your predecessors to give impetus to our programme of work. Your experience, your skill, the way in which you highlight and bring clarity and understanding to national positions encourage us to hope that we shall find a way to tackle this work programme.

(Mr. Berguño, Chile)

The proposal that the delegation of Finland has put before us with regard to the terms of reference, the criteria whereby a special coordinator might be appointed to deal with the question of anti-personnel landmines, is of great importance for the delegation of Chile. On this subject, we believe that if the coordinator is appointed under agenda item 6, it would be preferable to spell out, as in the proposal which was presented by Finland which we support, to spell out what it is for, but not to speak only of item 6. Nevertheless, whatever the wording, the question cannot be avoided. Either the Conference on Disarmament reaches the conclusion that it cannot address this issue and that it is not in a position to do so, and then clearly other processes will deal with the aspects which aim at the possible but final prohibition of these weapons which are cruel, inhuman, but which in some aspects are similar to weapons of mass destruction, because of the magnitude of the impact they have had against human life. If this happens, the problem is that this issue will be considered from the point of view of disarmament in another forum, and I think that this undoubtedly important precedent, which would then become inevitable, would not be a good precedent for the Conference on Disarmament. It is true that in the history of the relationship between international humanitarian law and disarmament law there are points of agreement and aspects where, while one element may prevail, the other element has been present since the time of the Hague rules in the last century, since the first manifestation of international humanitarian law. It also contains a first manifestation of disarmament, because it relates to the sizes of certain projectiles; there are the two facets, the strategic facet and the humanitarian facet. In so far as one of them, so to speak, takes precedence, light is certainly shed on the process, but in the view of the delegation of Chile there is no doubt that in the matter of anti-personnel landmines there is a considerable disarmament dimension and that for these aspects the most appropriate forum is the multilateral forum.

This leads me to the second part of my statement, which concerns the proposal which the delegation of Iran has placed before us and to which you, Sir, and the other delegations that are members of the Conference will be giving the consideration it deserves inasmuch as it is not only an effort of imagination but also a coherent, balanced and restrained arrangement. It is a proposal which does not satisfy many delegations. It does not satisfy my delegation. For example, Chile would have preferred, like other countries, to have in addition a reference to the question of outer space, which is of importance to us, but clearly what is being presented here is a very simple and very direct question, and that is, if the Conference on Disarmament wishes to carry out a work programme, wishes to perform a useful function, and if the corresponding answer is yes, it does want to, it is ready to discharge its responsibilities, it is ready to take up its tasks in a mature manner and in a sensible manner, we must give not just consideration but support to this proposal. This proposal includes an essential element from the perspective of the non-nuclear States, which is the question of negative assurances, and in the interests of balance it includes an aspect that has been upheld more by other countries but also enjoys a considerable measure of support, and that is transparency in armaments. This proposal realistically recognizes that the other aspects will have to be taken up by special coordinators in so far as success is not achieved in reaching the consensus that would have been

(Mr. Berguño, Chile)

desirable for the establishment, for each of these issues, of an ad hoc committee, an ad hoc committee in the case of nuclear disarmament which my delegation would certainly have desired. It seems to us that in this proposal, which we value and appreciate, there is more than a basis for negotiation, there is a basis for making progress, at least provisionally. If the Conference can begin to work on a programme structured on this basis and can continue the process of consultations, but in an already institutionalized form, in a form in which at least a positive signal has been given, an act of political will, a demonstration that the Conference wishes to continue to exist, working and performing a useful function, we should give this proposal more than consideration, we should give it support, and that is the position of my delegation.

I would conclude by saying just one thing. In earlier meetings I have said that for the developing non-nuclear countries in particular, it is more crucial than for others to keep this forum alive. But I think that this view is still a partial view, that what is really of importance is that there should exist for the international community, for the United Nations system, for the international disarmament system, a centre that can articulate and organize and is able not only to assimilate the experience of the past but to project it into the future in a programme of disarmament. That articulating centre, that negotiating forum, that multilateral consideration, can only derive from this Conference on Disarmament. If the instrument is abandoned, the process will certainly continue, and the process goes faster than the instrument, but the process will continue in a way that will not give all States the full range of guarantees of equal access to the negotiations, fuller participation in those negotiations and a universal outcome for each of the instruments negotiated. I think that is what will happen if we continue with the status quo in which we find ourselves at the present time.

The PRESIDENT (translated from Russian): I thank the distinguished Ambassador of Chile for his statement and his kind words.

(continued in English)

That concludes my list of speakers for today. Does any other delegation wish to take the floor at this stage?

As announced at the beginning of this plenary meeting, I should like to take up for decision the requests presented by Ecuador and the United Arab Emirates to participate, as observers, in accordance with the relevant rules of procedure of the Conference, in our work. These requests are contained in document CD/WP.486, which is before you. May I take it that the Conference agrees to these requests?

It was so decided.

The PRESIDENT: Consultations are still under way on the proposal made by the Islamic Republic of Iran at our last plenary meeting on the programme of work, as contained in document CD/1450. These consultations indicate that

(The President)

more time is needed to allow delegations to receive instructions from their capitals on this proposal, and therefore I intend to keep this matter under review.

I give the floor to the distinguished Ambassador of Iran.

Mr. NASSERI (Islamic Republic of Iran): I apologize for interrupting you for a moment, Mr. President, but I simply wish to ask for some clarification. As you have rightly noted, we had proposed that our proposal, now reflected in CD/1450, be taken up for decision today. I, too, have been informed that various groups and all delegations have been studying and considering this proposal. I am thankful to all of them and, indeed, I hope that this proposal, with any changes that might be agreed upon, can be adopted soon, because the intention is simply to proceed, and to proceed as soon as possible. This is not really a proposal that would become a proposal like the others and take a very long time, another session or two, before it is taken up for a decision. Therefore, when you said that you would keep this under review, could you clarify that a bit further? For instance, how would you hold consultations, when, and by when do you suppose that you would be able to refer the matter back to the CD? I know that it is a very difficult question, but anything you can say on this that will shed some light on the procedure would be useful for the Conference.

The PRESIDENT (translated from Russian): I thank the distinguished representative of Iran for his clarifications and his question. The President is entirely in the hands of the members, and as soon as the members of the Conference are ready to take a decision on your proposal, I will be happy to put it to them. But that moment has not yet come, as was convincingly demonstrated by the consultations I had the pleasure of conducting yesterday with the coordinators of the regional groups. I will pursue my efforts to ensure that this matter is resolved as speedily as possible. The distinguished representative of Iran has the floor.

Mr. NASSERI (Islamic Republic of Iran): I should reiterate that I am fully appreciative of your efforts, Sir. If I may say so, perhaps one way to approach this would be to hold open-ended informal consultations on this proposal when we resume our session in May. I understand that it will be difficult to hold consultations on this proposal during the inter-sessional period because some members will be in New York, and others here. But I would assume that at the beginning of the second part of the session, it should be entirely possible to do this. In any case, it is difficult to gather the views of the delegations on the proposal in a haphazard way. I have heard some comments here and there, but even for us who have made the proposal, we still do not know what the views of various delegations are, and if there can be an opportunity in the form, as I suggested, of open-ended informal consultations, then that at least gives us an opportunity to evaluate how much of a chance this proposal has, because frankly, as the country that has made it, we would really like to see a decision taken soon. Whether it is approved, rejected, or amended and improved does not make much difference. Iran has now bound itself to a very compromised position through this. It does not reflect the Iranian position, and we cannot remain bound to this

(Mr. Nasseri, Islamic Republic of Iran)

proposal for a very long time. So, for that purpose alone, if not for anything else - although it is also, I think, important for the sake of the CD to have a decision quickly on this - it is important that we know how the consultations would be pursued, and I hope that the Conference and you will agree to pursue the consultations at least as a first stage to holding such a meeting.

The PRESIDENT (translated from Russian): I thank the distinguished representative of Iran for his further clarification and the proposal he has made. Personally I fully share this approach and I would like to request the distinguished group coordinators to communicate their views to me on that proposal at the next Presidential consultations, which will take place on 14 May.

On that note I shall adjourn this meeting. The next meeting will take place on Thursday, 15 May 1997 at 10 a.m.

The meeting rose at 10.50 a.m.